

Plaintiffs' Supplemental Exhibit 94

Investigative Memorandum: App Developer Background – Zynga Inc.

TO:	Gibson Dunn & Crutcher LLP
FROM:	Stroz Friedberg
DATE:	June 22, 2018
RE: ZYNGA APPS	Blackjack (5803363687) Bubble Safari (164731003644283) Bubble Safari Ocean (502072116492610) Café World (101539264719) CoasterVille (446806932006133) Crazy Cake Swap (463679737112949) Dope Wars (6657868731) Empires & Allies (164285363593426) FarmVille (330651527702) FrontierVille (149707305074371) Mafia Wars 2 (121581087940710) Pioneer Trail (266989143414) Pirates Rule the Caribbean! (16421175101) Puzzle Charms (119749381558970) Roller Coaster Kingdom (89771452035) Scramble (6494671374) Treasure Isle (124587080915434)
APP TYPE:	Gaming apps

Executive Summary

Blackjack

- **Developer Name:** Jason Orcutt, Zynga, Inc.

Privileged and Confidential – A/C Privileged – Attorney Work Product

- **Reason for Escalation:** This app was flagged by ALT for possible privacy policy concerns, “*Generally flagging for the Zynga privacy policy, including data collection of "the user ID number and other public data for your friends."*”
- **App Status:** Active
- **Preliminary Recommendation:** RFI, Advanced Technical App Review
- **Reason for Preliminary Recommendation:** Zynga Privacy Policy indicates that Zynga shares social network ID and other personal information with third parties, including advertisers, a possible violation of the Facebook Developer Platform Policy. Zynga’s use, transfer, and disclosure of user and friends’ data has been the subject of media coverage and litigation.¹ In addition, there was a 2016 data breach involving the theft of data from Zynga by former employees.²

Background Summary

- **App Description:** This app was a version of the casino card game Blackjack. According to ALT, the game launched on Facebook on September 10, 2007, but is no longer available.³ The Blackjack app only had approximately 31 users in the past month.
- **Graph v.1.0?:** Yes
- **Special Relationship with Facebook:** Zynga’s Chairman of the Board and former CEO, Mark Pincus, was a founding investor of Facebook. More information is provided in the management section.
- **Additional information:** N/A
- **Targeted RFI Questions:**
 - Has Zynga transferred, made available or otherwise disclosed any Facebook user data, including in anonymous or aggregate form, to any ad network, data broker, or other advertising or monetization-related service?

¹ <https://slate.com/technology/2018/03/farmville-helped-sow-the-seeds-of-the-cambridge-analytica-scandal.html>; <https://www.nytimes.com/2018/03/19/technology/facebook-data-sharing.html>;

http://www.pcworld.com/article/208267/Zynga_Hit_With_Lawsuit_Over_Facebook_Privacy_Breach.html

² <http://www.igamingbusiness.com/news/zynga-sues-former-employees-over-data-breach>

³ The game was not among the current games listed on Zynga.com as of 11/29/2011, but the exact date it was removed was not identified during the background research.

<https://web.archive.org/web/20111129142824/http://company.zynga.com:80/games/facebook-games>

Exhibit Truncated Due to Size